

August 3, 2017

The Honorable Charles B. Kornmann  
United States District Judge  
United States Courthouse  
104 Fourth Avenue, SE, Suite 408  
Aberdeen, SD 57401

RE: Sioux Rural Water vs. City of Watertown, et al.  
Civ. 15-1023

Dear Judge Kornmann:

In your Order dated May 4, 2017, you included a deadline for a settlement of this case as ten (10) days prior to trial which would be August 14, 2017. With the imminence of trial, the parties have agreed to once again sit down again to take a run at settlement. There are a number of complicated issues; however, we have tentatively agreed upon a framework to approach settlement discussions. Unfortunately, given the number of required decision-makers to be present at the meeting and the schedules of those decision-makers and attorneys, the first date that works for all involved is August 15, 2017.

While we recognize this is after the deadline set by the Court for settlement of the case, we believe that it is worth the time of all involved to explore settlement. To that end, we are seeking the Court's guidance as to whether it is agreeable to extend the deadline for settlement of the case by one day to August 15, 2017. We believe that we will know by the evening of August 15<sup>th</sup> whether the case will settle or definitely go to trial. We welcome guidance from the Court in this regard.

Sincerely,



Zimmer, Duncan & Cole, LLP  
JEFF COLE  
WILLIAM D. SIMS  
*For the Plaintiff*

**/s/ Jack Hieb**

[Permission given for electronic signature]

Richardson, Wyly, Wise, Sauck & Hieb, LLP  
JACK HIEB  
*For the Defendants*